

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Joseph P. Bigus, et al.	:	Date: May 5, 2010
Group Art Unit:	2129	:	IBM Corporation
Examiner:	O. Fernandez Rivas	:	Intellectual Property Law
Serial No.:	10/712,563	:	Dept. 917, Bldg. 006-1
Filed:	November 13, 2003	:	3605 Highway 52 North
Title:	METHOD, APPARATUS AND PROGRAM PRODUCT FOR MATCHING MULTIVARIATE DATA TO FUZZY SETS	:	Rochester, MN 55901

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**LETTER TO EXAMINER**

The present application was recently allowed. In remarks accompanying the Notice of Allowance, the Examiner stated that certain references previously disclosed in an IDS filed by applicants on "11/13/2009" would not be considered.

In the interests of preserving an accurate record, applicants note that the Examiner is evidently mistaken. The references in question were in fact disclosed in an IDS accompanying

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the original application herein (i.e., filed November 13, 2003, not November 13, 2009), and were considered by the Examiner at the time he issued his final rejection dated January 24, 2007, (before applicants' appeal herein), as well as by the Examiner's predecessor at the time she issued the first office action dated May 15, 2006. Accordingly, the references have in fact been considered by the Office, notwithstanding any defect in the IDS, if such a defect exists.

Respectfully submitted,

JOSEPH P. BIGUS, et al.

A handwritten signature in black ink, appearing to read 'Roy W. Truelson', with a long horizontal flourish extending to the right.

By: \_\_\_\_\_  
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